



THE CITY OF NEW YORK
LAW DEPARTMENT
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November 30, 2020

VIA ECF

Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

APPLICATION GRANTED

SO ORDERED *Vern Bro*

VERNON S. BRODERICK

U.S.D.J. 12/1/2020

The parties are directed to file a joint status report on or
before February 26, 2021.

Re: Jarzette Jacobs Administrator of Estate of Jah'Lire Nicholson et al. v. City, et al.,
18-CV-3275 (VSB)

Your Honor:

I am a Senior Counsel in the Office of James E. Johnson, Corporation Counsel of the City of New York, representing defendants City of New York, Police Officer Daniel Decario, and Police Officer Djafar Tsaabbast in the above-referenced matter. Defendants write respectfully on behalf of the parties to advise the Court of the status of this action and to respectfully request that the Court extend the stay of discovery until February 26, 2021.

By letter dated September 30, 2020, the parties respectively advised the Court that we had been working cooperatively towards facilitating a forensic evaluation by plaintiffs' expert to take place in New York with the hope that we might be able to have that occur on or before November 30, 2020. While the parties have continued to work cooperatively in this regard, the status of the pandemic has unfortunately not cooperated with the situation getting worse since our last application. The fact that plaintiffs' expert resides in Michigan has made finalizing this forensic evaluation particularly difficult in light of the required inter-state travel as well as the need for numerous people to gather indoors for a potentially lengthy amount of time. The parties anticipate that if the Court were to extend the stay in the manner requested, we could by the end of February – assuming news about vaccine development and distribution proves accurate – be able to resume discovery and propose a reasonable schedule at that time to complete what remains outstanding.

Accordingly, the parties respectfully request that the Court further extend the stay of discovery until February 26, 2021. To the extent that this request is granted, the parties further respectfully request that the Court permit them to submit a joint status update at the conclusion of the stay.

Thank you for your consideration herein.

Respectfully submitted on behalf of the
parties,

JAMES E. JOHNSON
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By: */s/ Brian Francolla*
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